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Bank of America N.A., successor in interest to
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9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
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13 JOHN L. WHEELER; GLORIA A.
14 WHEELER,

15 Plaintiffs,

16 v.

17 BANK OF AMERICA NT & SA;
LIBERTY REVERSE MORTGAGE;
18 SEATTLE FINANCIAL GROUP,

19 Defendants.
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Case No. C-08-03230-JL

**BANK OF AMERICA'S
DECLINATION TO PROCEED
BEFORE A MAGISTRATE JUDGE
AND REQUEST FOR
REASSIGNMENT TO A DISTRICT
COURT JUDGE**

1 On July 3, 2008, defendant Bank of America N.A., successor in interest to
2 Bank of America NT & SA ("Bank of America") removed this action to the Northern
3 District of California. The case was assigned to Magistrate Judge James Larson. On July
4 9, 2008, Plaintiffs indicated to this Court that they did not consent to magistrate
5 jurisdiction. On July 11, 2008, Bank of America filed a Motion to Stay Proceedings

6 Pursuant to 28 U.S.C. § 636(c) and Local Rule 73-1(a), Bank of America
7 does not consent to magistrate jurisdiction and hereby respectfully request reassignment
8 of this action to a U.S. district court judge.
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12 Dated: July 11, 2008

13 DEBRA S. BELAGA
14 AARON M. ROFKAHR
15 O'MELVENY & MYERS LLP

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17 By: _____/s/
18 Aaron M. Rofkahr
19 Attorneys for Defendant
20 Bank of America NT & SA

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